



IAP6 Rec'd PCT/PTO 20 JUL 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:) Docket No.: U 016480-4
JENNEMAN, Gary E. et al.) Group Art Unit: 1617
Serial No.: 10/593,983) Examiner:
Filed: 10/02/2006) Confirmation No.: 6085
INHIBITION OF SULFIDOGENIC BACTERIA)
VIA BIOCIDE AND METABOLIC INHIBITOR)
COMBINATION)

Mail Stop Missing Parts
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

EXPRESS MAIL TRANSMITTAL

Transmitted herewith is/are: Express Mail Transmittal (1 page); Request to Change Entity Status (2 pages); EXHIBITS A & B (2 pages); Missing Parts Transmittal (1 page); Notification of Missing Requirements PTO Form (2 pages); Declaration and Power of Attorney - Jenneman (1 page); Declaration - Voordouw and Hicks (2 pages); Power of Attorney - UTI Limited Partnership (1 page); \$130.00 Late Declaration Fee; \$1,320.00 Change in Entity Status Fee; and Return Postcard.

EV 888982648 US
(*"Express Mail" Mailing Label Number*)

Respectfully submitted,

Dated: July 20, 2007

by

Kameron D. Kelly, Reg. No. 44,181
HOVEY WILLIAMS LLP
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Kansas City, Missouri 64108
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ATTORNEYS FOR APPLICANTS



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Sir:

REQUEST TO CHANGE ENTITY STATUS UNDER 37 C.F.R. § 1.28(c)

Background Information

The Transmittal Letter accompanying the filing of this Application included a Fees section setting forth the Large Entity filing fees for the Application. A copy of the Fees section of Applicants' original Transmittal Letter is enclosed herewith as EXHIBIT A. Although Applicants made no claim to Small Entity status when filing this Application, the Office's Fee Record Sheet indicates that the Office charged the small entity rates for the filing fees. A copy of the Office's Fee Record Sheet is enclosed herewith as EXHIBIT B.

The Notification of Missing Requirements mailed by the Office on May 24, 2007 incorrectly states that an "Indication of Small Entity Status" was submitted by the Applicants. Further, the Notification of Missing Requirements sets forth the Small Entity amount (\$165) for the fees due in connection with the submission of missing requirements. It is clear, therefore, that the Office currently considers the Application to be of Small Entity status.

Request to Change Small Entity Status to Large Entity Status

Applicants hereby request that the status of this Application be changed from Small Entity to Large Entity. Applicants are seeking to correct this error in accordance with 37 C.F.R. § 1.28(c), and any acts of Applicants that may have contributed to this error were made in good faith.

Calculation of Fee Amount Owed

The following table sets forth an itemized list of the fee amounts previously charged by the Office and the correct large entity fee amounts that should have been charged by the Office. The difference between the previously charged amounts and the correct large entity amounts is the fee amount owed in connection with changing from Small Entity to Large Entity status.

Calculation of Fee Deficiency Amount				
Fee Code	Description of Fee	Original Fee Amount Paid	Correct Large Entity Fee Amount	Deficiency or (Overpayment)
2631	Basic Fee	*150	300	150
2641	Search Fee (US=ISA)	*50	100	50
2615	Total Claims (>20)	*1,100	2,200	1,100
2614	Indep. Claims (>3)	*100	200	100
1206	UNKNOWN	*80	0	(80)
TOTAL AMOUNTS =>		\$1,480	\$2,800	\$1,320

* Amount charged by the Office as indicated on the Fee Record Sheet (EXHIBIT B)

Payment of Deficiency

Please find enclosed a check in the amount of \$1,320.00 for changing this Application from Small Entity status to Large Entity status. The \$1,320.00 amount includes deductions for the deficiencies associated with the original payment of the Basic Fee (\$150 deficiency), the Search Fee (\$50 deficiency), the Total Claims fee (\$1,100 deficiency), and the Independent Claims fee (\$100 deficiency), as well as a credit for the original payment of the unknown fee associated with Fee Code 1206 (\$80 overpayment). In the event that any additional fee is required, the Office is authorized to deduct any such additional fee from Deposit Account No. 19-0522.

Respectfully submitted,

HOVEY WILLIAMS LLP

By


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2405 Grand Boulevard, Suite 400
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(2) A notice under paragraph (c)(1) of this section will set a period of time within which applicant must provide any omitted translation, oath or declaration of the inventor, search fee set forth in § 1.492(b), examination fee set forth in § 1.492(c), and any application size fee required by § 1.492(j) in order to avoid abandonment of the application.

(3) The payment of the processing fee set forth in § 1.492(i) is required for acceptance of English translation later than the expiration of thirty months after the priority date. The payment of the surcharge set forth in § 1.429(h) is required for acceptance of the oath or declaration the inventor later than the expiration of thirty months after the priority date.

2. Fees

CLAIMS FEE *	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS*	64 - 20 =	44	x \$ 50.00 =	\$ 880.00
	INDEPENDENT CLAIMS*	4 - 3 =	1	x \$ 200.00 =	200.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$360.00					
FILING FEES**	[x] Basic filing Fee				\$300.00
	[] Non-U.S. Search Report filed			(\$400.00)	
	[] No Search Report			(\$500.00)	
	[] Exam Fee not paid to U. S.			(\$200.00)	
	[x] Search and Exam fee with U.S. WO or IPER conditions not satisfied			(\$100.00)	100.00
	[] Search and Exam fee with U.S. WO or IPER conditions satisfied			(\$0.00)	
	[] Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in electronic medium). The fee is \$250 for each additional 50 sheets paper or fraction thereof			(\$)	
	Total of above Calculations				
	= \$1,480.00				
SMALL ENTITY	Reduction by 1/2 for filing by small entity, if applicable. Statement may also be filed. (note 37 CFR 1.9, 1.27, 1.28)				
	Subtotal				
	\$1,480.00				
	Total National Fee				
	\$1,480.00				
	Fee for recording the enclosed assignment document \$40.00 (37 CFR 1.21(h)). (See Item 13 below). See attached "ASSIGNMENT COVER SHEET".				
TOTAL	Total Fees enclosed				
	\$1,480.00				

*May include Preliminary Amendment (see page 8) reducing the number of claims.